

REMARKS

Favorable reconsideration and withdrawal of the rejections set forth in the Office Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1-6 are pending in the application, with claims 1, 5, and 6 being independent. Claims 1 and 6 are amended herein. Claim 7 is new. Support for the claim amendments and the new claim can be found throughout the originally-filed disclosure, like, for example, in original Claims 2 and 6 and in paragraph 12 of the specification. Thus, no new matter has been added.

Claims 1-6 are rejected under 35 U.S.C. § 102(e) over Cohagan et al. (U.S. Pat. Appln. Pub. No. 2004/0243468). This rejection is respectfully traversed, for at least the reasons set forth below.

As a preliminary matter, the Office Action asserts that Cohagan et al.'s parent application, Voltmer et al. (U.S. Pat. Appln. No. 09/836,213), contains adequate support for the features relied on in making the rejection. Applicants respectfully traverse this assertion. A brief review of Voltmer et al. revealed only a small excerpt in paragraph 33 of the specification that appeared to be relevant: "The consumer ID may be associated with a household account which specifies the consumer as a primary member and permits the identification of supplementary members associated with the consumer's household who may also earn reward points for the consumer." This is inadequate to teach or suggest at least, for example, an authorization access that is capable of being a global assignment, as recited in independent Claims 1 and 6. It is also inadequate to support an authorization

update feature, as recited in independent Claim 5. Therefore, it is respectfully submitted that Voltmer et al. is insufficient to support the rejection of Applicants' claimed invention.

Nevertheless, it is recognized that adequate support is more likely to be present in a different parent application of Cohagan et al., such as U.S. Pat. Pub. No. 2003/0200144, and thus Applicants will address the merits of the rejection. Independent Claim 1 is directed to a method for facilitating operation of a loyalty points program wherein a primary cardmember can authorize a third-party participant to have access to the loyalty points program. The third-party participant can then request one or more transactions with the loyalty points program according to their authorization access. Independent Claim 6 is directed to a method for authorizing a third party participant to redeem and transact with a loyalty points program.

The primary cardmember may specify three types of authorization access: global assignment, functional assignment, and transactional assignment. Independent Claims 1 and 6 have been amended herein to specify that the authorization access is capable of being a global assignment. As explained in paragraph 0012 of the specification, global assignment authorization access may indicate that the authorized third party can access and use any function or transaction available for the loyalty points. This can include, for example, redeeming points, buying back points, reinstating points, etc. Importantly, this authorization is identical to that provided to the primary cardmember or owner of the account.

Cohagan et al. is directed to a geographic loyalty system and method. Cohagan et al. does not disclose, teach, or suggest an authorization access capable of being a global

assignment. At best, the portions of Cohagan et al.'s specification highlighted by the Office Action only indicate functional assignment authorization access, like, for example, authorizing a supplementary member to redeem loyalty points. There is no suggestion of being able to authorize a third-party participant to access and use any function or transaction available for the loyalty points, as can be provided by the global assignment feature of Applicants' invention. Therefore, Cohagan et al. does not fairly disclose, teach, or suggest the invention of Claims 1 and 6.

Independent Claim 5 is directed to a system for operating a loyalty points program wherein a primary cardmember can authorize a third-party participant to use the loyalty points of one of the primary cardmember's accounts. Independent Claim 5 includes an authorization update feature wherein a third party participant's authorization access to the primary cardmember's account may be changed. Cohagan et al. does not disclose, teach, or suggest updating an account to so change the authorization access. In contrast, Cohagan et al. (in particular, paragraph 0084) only discloses enrolling supplementary members in a loyalty points system. There is no suggestion of being able to later change the terms of such enrollment. Therefore, Cohagan et al. does not fairly disclose, teach, or suggest the invention of Claim 5.

For at least the foregoing reasons, Applicants respectfully submit that Cohagan et al. fails to disclose, teach, or suggest the invention as recited in independent Claims 1, 5, and 6. The remaining claims in the present application are dependent claims that depend directly or indirectly from independent Claims 1, 5, and 6 and are allowable by virtue of their dependency and in their own right for further defining Applicants' invention.

Favorable and independent consideration of all the dependent claims is respectfully requested.

Applicants submit that all outstanding matters in this application have been addressed and that it is in condition for allowance. Favorable reconsideration, withdrawal of all rejections, and early passage to issue of the above application are respectfully sought.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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